

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS,
CENTRAL DIVISION**

AMERICAN ATHEISTS, INC.;
BETTY JO FERNAU;
CATHERINE SHOSHONE;
ROBERT BARRINGER; and
KAREN DEMPSEY,

Plaintiffs,

v.

Case No. 4:19cv17-KGB

STANLEY JASON RAPERT,
In his individual and official capacity,

Defendant.

**DEFENDANT’S RESPONSES TO PLAINTIFFS’ FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS AND INTERROGATORIES TO DEFENDANT STANLEY JASON RAPERT
IN HIS INDIVIDUAL CAPACITY**

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Produce all documents reviewed, referenced, or relied on in responding to each interrogatory.

RESPONSE: Objection. Defendant objects on the basis that this request is overly broad in both scope and timeframe, unduly burdensome, fails to identify the documents sought with reasonable particularity, and is disproportionate to the needs of the case. Because the request is overly broad on its face, it unavoidably invades attorney work-product and attorney-client privilege.

REQUEST FOR PRODUCTION NO. 2: Produce each other document or tangible thing, not previously disclosed or produced, relevant to resolution of a claim or defense asserted in this lawsuit.

RESPONSE: Objection. This request is overly broad on its face, unduly burdensome, fails to identify the documents sought with reasonable particularity, and is disproportionate to the needs of the case. There has been no resolution of any claim or defense asserted in this lawsuit. Further, the request is so broad, it requires the respondent to either guess or move through mental gymnastics to determine which of many documents may contain some detail within the scope

of the request. *See Sonnino v. Univ. of Kansas Hosp. Auth.*, 221 F.R.D. 661, 667 (D. Kan. 2004) (A request seeking documents “concerning” a broad range of items “requires the respondent either to guess or move through mental gymnastics ... to determine which of many pieces of paper may conceivably contain some detail, either obvious or hidden, within the scope of the request.)

REQUEST FOR PRODUCTION NO. 3: Produce all documents and tangible things identified by or relevant to your response to a discovery request and/or referred to by you in responding to a discovery request or used by you in preparation of your disclosures or supplementation thereto.

RESPONSE: Objection. See Response to RFP NO. 2. This request is so broad, it is not possible to determine what documents Plaintiffs are seeking. Additionally, it unavoidably invades attorney work-product and attorney-client privilege.

REQUEST FOR PRODUCTION NO. 4: Produce all documents, data compilations, and tangible things, in the possession custody or control of defendant that are relevant to disputed facts alleged with particularity in the pleadings. Include the identity of the person compiling the list and describe information by category and location. FRCP 26(a)(1).

RESPONSE: Objection. Defendant objects to this request to the extent that it seeks information that is both attorney work-product and attorney client-privilege. Defendant further objects on the basis that this request is overly broad in both scope and timeframe, unduly burdensome, fails to identify the documents sought with reasonable particularity, and is disproportionate to the needs of this case and is, therefore, outside the scope of permissible discovery.

INTERROGATORIES

INTERROGATORY NO. 1: Identify with particularity all internet service providers and mobile data providers you contracted with on or after May 18, 2014, and for each provide:

- a. The service(s) contracted for;
- b. The monthly cost of each service; and
- c. If the cost of the service was reimbursed by the State of Arkansas or any branch, department, or subdivision thereof, provide copies of all applications for reimbursement and responses thereto.

RESPONSE: Objection. Defendant objects to this Interrogatory because it seeks information that is not relevant to any party's claim or defense and is disproportionate to the needs of the case. Without waiving said objection, see below.

- a. See objection.
- b. Objection to the relevance as to the cost of any service.
- c. I am not reimbursed for my cellular or internet services.

INTERROGATORY NO. 2: Identify with particularity all devices used to access your social media accounts on or after May 18, 2014, including for each device:

- a. The owner of the device;
- b. Individuals authorized to use the device;
- c. The manufacturer of the device;
- d. The model number of the device;
- e. For mobile devices, the phone number(s) and/or email address(es) associated with the device, the data provider, and the IMEI number; and
- f. For all other devices, the internet service provider, location and IP address of the device.

RESPONSE: Objection. Defendant objects to this request because it seeks information this is not relevant to any party's claim or defense and is disproportionate to the needs of the case. Additionally, Defendant objects to providing phone numbers, email addresses, and IP addresses to extent such information constitutes private, personal information related to the Defendant, which potentially subjects Defendant to harassment. Without waiving said objection, see below.

Iphone

- a. I am the owner of this device.
- b. I am the only person authorized to use this device.
- c. Apple.
- d. Model Name: iPhone X and Model Number: MQAM2LL/A
- e. See objection.
- f. Not applicable.

Ipad

- a. I am the owner of this device.
- b. I am the only person authorized to use this device.
- c. Apple.
- d. Model Name: iPad Air 2 and Model Number: MH332LL/A
- e. See objection.
- f. Not applicable.

INTERROGATORY NO. 3: Identify with particularity each person who has ever sued you or written or caused to be written any demand letter or email making a legal claim against you since January 1, 2010. Include in your response the person's name, address, and telephone number, as well as the nature of the alleged matter, the individual making the accusation, the names of the attorneys who represented you and/or the individually named defendants and the claimant/plaintiff, the style, cause number and court of each suit and the final disposition of the claim.

RESPONSE: Other than this litigation and the one that preceded it with the same Plaintiffs, no one has ever sued me.

INTERROGATORY NO. 4: Have you ever been arrested and/or convicted for any crime, including felonies or crimes of moral turpitude? If your answer is yes, please describe the nature of the charge and identify the date, cause number, location, and final disposition of each arrest or conviction.

RESPONSE: I have never been arrested or convicted of anything.

INTERROGATORY NO. 5: Please identify each complaint, sustained complaint, and/or reprimand made, filed, or entered against you with any regulatory, professional, or government body on or after January 1, 2010, setting out the nature of the complaint or reprimand, as well as the name, address, and phone number of the complainant(s) and the final disposition of the complaint(s) or reprimand(s).

RESPONSE: There was one complaint filed at the Arkansas Ethics Commission that was dismissed.

The nature of the dismissed complaint was allegations regarding disclosing the sale of goods and services to state established school districts and other entities. The complainant was:

Bob Reynolds
1520 Winterbrook Dr.
Conway, AR 72034
(501) 329-9857

I had a complaint made about me to law enforcement for alleged terroristic threatening. After an investigation, it was closed because the allegations were unfounded. The individual who filed the police report was charged with and convicted of filing a false police report. The complainant was:

Stephane Ferry
1703 Prince St.
Conway, AR 72034
(360) 298-3138

INTERROGATORY NO. 6: Identify every person with knowledge of relevant facts in this matter and summarize each person's knowledge and/or opinions.

RESPONSE: Parties to this lawsuit have knowledge of relevant facts as laid out in the Complaint and Answer.

Respectfully submitted,

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Paul Byrd, do hereby certify that a true and correct copy of the foregoing has been served on Abtin Mehdizadegan, Attorney for the Plaintiffs, via email: abtin@cgwg.com; Phillip Kaplan, Attorney for the Plaintiffs, via email: pkaplan@cgwg.com; and Geoffrey Blackwell, Attorney for the Plaintiffs, via email: gblackwell@atheists.org on this 4th day of May 2021.

/s/ Paul Byrd
Paul Byrd

VERIFICATION

I, Stanley Jason Rapert, hereby state, under oath, that the above and foregoing information is true and correct to the best of my knowledge and belief.


Stanley Jason Rapert

Acknowledgement

STATE OF ARKANSAS)

COUNTY OF Pulaski)§

SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 4th day of May, 2021.


NOTARY PUBLIC

My Commission Expires:

Nov 09, 2028

